

THOMAS HOPPING AND JOSHUA P. FROTHINGHAM.

DECEMBER 30, 1831.

Mr. BATES, (of Mass.) from the Committee on Revolutionary Claims, made the following

REPORT:

The Committee on Revolutionary Claims, to whom was referred the petition of Thomas Hopping and Joshua P. Frothingham, report:

That this case was examined by the Committee on Revolutionary Claims at the last session, upon which they made a report not acted upon. In that report the committee concur. It is as follows:

The memorialists represent themselves to be the grandchildren and heirs at law of Thomas Frothingham, joiner, deceased, who, in the year 1775, was the proprietor of a dwelling-house, shop, and other buildings in Charlestown. When the place was reduced to ashes on the memorable 17th of June, 1775, by the enemy, these buildings escaped the conflagration, and were subsequently used as barracks for the accommodation of their troops. In the winter following, General Putnam, then encamped with his corps at Cambridge, determined to "route these British guards in Frothingham's buildings;" and he accordingly advanced upon Charlestown with a detachment for that purpose. No difficulty was experienced in effecting his object. The guards were all made prisoners, and the buildings burnt.

The committee are of opinion that the evidence produced by the memorialists fully verifies the foregoing facts. The affidavits of Peter Tufts, Job Miller, Joseph White, Leonard Parks, and Thomas Miller, who were at the time in the vicinity of Charlestown, leave no room for the least doubt. Mr. White, then acting deputy adjutant in the army at Cambridge, swears, that, "one night in the winter after the engagement of 17th June, our camp at Cambridge was alarmed by a fire in Charlestown. It turned out to be this—General Putnam went over to Charlestown to dislodge a British force which was in these buildings, (Frothingham's;) he took the British party, and brought them over to our camp; and with them a soldier's wife on his own horse, which made a great laugh through the camp. I remember this as well as though it happened yesterday. Our men who went with General Putnam upon this expedition burnt the buildings where they took the British party." Mr. Miller, a native citizen of Charlestown, resident there at the commencement of the revolution, well remembers the events that took

place. He deposes, that, about the first of January, 1776, a party of continental soldiers, under command of General Putnam, *and by his direction*, went over in the night from the American camp in Cambridge, and, after making prisoners of the British guard which occupied these buildings, (Frothingham's,) set them on fire: he was then about a mile and a half distant from the scene, and distinctly saw them burnt down; and he perfectly recollects that the Americans did it by order of General Putnam. The other deponents substantially corroborate this proof. Mr. Tufts and Mr. Thomas Miller, gentlemen, now residing in Charlestown, estimate the value of the buildings thus destroyed, at from \$1,500 to \$1,800; Mr. Job Miller, of Woburn, in Middlesex, estimates it at \$1,800; and they severally found their judgment upon a recollection of the size and condition of the structures at the time. The two deponents last named further testify, that Thomas Frothingham had two children—a daughter, who married one Hopping, and had by him in lawful wedlock one child only, viz. Thomas Hopping, and a son, Thomas Frothingham, who was the father of Joshua P. Frothingham; and that these persons, Thomas Hopping and Joshua P. Frothingham, are the only surviving grandchildren of the said Thomas Frothingham.

To remove any suspicion which might be entertained, that Gen. Putnam was partly induced to destroy the property of Mr. Frothingham on account of his disaffection to the American cause, it may be proper to transcribe the following passage from the deposition of Mr. Tufts: "I perfectly recollect that it was a matter of surprise that our own people should burn the house, &c., *of our own friends.*"

In coming to a decision upon the prayer of the memorialists, the committee had one or two other difficulties to encounter. 1. Was it not probable that the claim had been settled and satisfied by the State of Massachusetts, under some one or other of the resolutions of Congress, adopted prior to the formation of the present Government? 2. Supposing it to be just, why has it not been presented at an earlier period?

As to the first, Edward D. Bangs, Secretary of the Commonwealth of Massachusetts, under date of January 26, 1831, certifies, that on examining the public records and documents in his office, he has not been able to discover any evidence that remuneration, in any shape or degree, was made by the General Government, the State of Massachusetts, or any other authority, to individuals claiming damages for injuries caused by the American troops in Charlestown during the revolutionary war. The Journals of the Legislature of the State bear record, that, in the years 1779 and 1780, the Commissary General was directed to pay damages suffered by individuals in Charlestown, upon whom had been quartered the prisoners captured at the surrender of Burgoyne; and the amount paid was to be charged to the continental service. From certain documents on file in his office, it further appears, that, in obedience to an order of the General Court, a committee composed of citizens of Charlestown, did, in the year 1783, make an estimate of the damages occasioned *by the enemy*, when the town was destroyed on the 17th of June, 1775: but it is not manifest that this included damages resulting from any movement of American troops. Of any particulars respecting the latter, his office is entirely destitute; and he concludes with expressing a belief that no recompense for them has been obtained.

As to the second point, to wit, Supposing the claim to be just, why has it not been presented at an earlier period? the memorialists offer in expla-

nation, that Thomas Frothingham, their grandfather, and the proprietor of the buildings destroyed, died before the close of the revolutionary war; and his legal representatives at that period, Thomas Hopping, one of the memorialists, and Thomas Frothingham, father of the other, had matters of more pressing interest to occupy their attention. The first was engaged as a soldier, fighting for the liberty of his country against British tyranny, until the peace of 1783; and the second, an humble artisan, found himself called upon to use every exertion for the purpose of retrieving the loss of his patrimony, which Gen. Putnam, from patriotic motives, had deemed it expedient to destroy. Both were, moreover, ignorant of their rights in the premises, and destitute of facilities to ascertain and assert them before the proper tribunal.

It is, however, averred by the memorialists, that, in 1798, 1799, or 1800, application was made to Congress for redress by the late Samuel Dexter, who then represented the district of which Charlestown forms a part; but, owing to the fluctuation of public opinion, his services were soon lost to the claimants, and the constituents of Mr. Varnum, his successor, were content with the honor of his elevation to the Speaker's chair at the expense of his usefulness. From that time until the present session of Congress, the claim seems to have been altogether neglected. By way of excuse for this, it is represented, that Thomas Frothingham, "of the second generation," died about the year 1816, and his legal representative, Joshua P. Frothingham, (one of the memorialists,) "has had no ambition nor thought of rummaging into the scenes of the revolution for his rightful inheritance, until recently, and in consequence of the following circumstance: His co-claimant, Thomas Hopping, served as a soldier through the war, is now extremely poor, and has been attempting to obtain the benefit of the pension law, but is excluded by its technicalities. In complaining to some intelligent gentlemen, who had endeavored to assist him in that pursuit, of the hardship of his case, he incidentally mentioned, among other of his sufferings in the cause of the revolution, the taking of this property by the Government. He was at once advised by the gentlemen to abandon the hope of a pension, and to assert his legal claim herein. Were it not for this circumstance, the claim, however well founded, might have slept for generations to come."

Taking, then, all the circumstances of this case into consideration, the committee believe that the memorialists ought to be remunerated to the amount of one thousand five hundred dollars, and have directed a bill to be reported for that purpose.

